

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** BUILDING PERMITS AND INSPECTIONS

**AGENDA DATE:** DECEMBER 28, 2004

**CONTACT PERSON/PHONE:** TOM MAGUIRE 541-4588

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

**APPROVE** a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

**AUTHORIZE CITY MANAGER TO PLACE AN ITEM ON THE AGENDA REGARDING**  
**THE PROPERTY AT 3025 E. SAN ANTONIO AVENUE.**

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

**ITEM TO BE PLACED FOR CONSIDERATION BY COUNCIL TO DETERMINE IF**  
**REFERENCED PROPERTY IS A HAZARD TO THE PUBLIC HEALTH, SAFETY AND**  
**WELFARE.**

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one?

N/A

**AMOUNT AND SOURCE OF FUNDING:**

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_

(Example: if RCA is initiated by Purchasing, client department should sign also)  
*Information copy to appropriate Deputy City Manager*

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**COUNCIL AGENDA ITEM # \_\_\_\_ FOR  
TUESDAY, DECEMBER 28<sup>TH</sup>, 2004**

**BUILDING PERMITS AND INSPECTIONS**

**MEMORANDUM**

**December 2, 2004**

**TO: The Honorable Mayor and City Council**

**THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director**

**FROM: Tom Maguire, Housing Compliance Supervisor**

**SUBJECT: 3025 E. San Antonio Avenue (Rep. District #8)**

Scheduling a public hearing to be held on February 1<sup>st</sup>, 2005 to determine if the property located at 3025 E. San Antonio Avenue in the City of El Paso (Legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of September 29<sup>th</sup>, 2004, Martina Pulido Sosa, 3025 E. San Antonio Avenue, El Paso, Texas 79905, has been notified of the violations at this property. District #8

JOE WARDY  
MAYOR



COPY

CITY COUNCIL

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING Jr.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS  
CODE COMPLIANCE  
October 1, 2004

Fermin Sosa  
3025 E. San Antonio Ave.  
El Paso, Texas 79905

Re: 3025 E. San Antonio Ave.  
Lot: 13  
Blk: B Moeller  
Zoned: A-3  
COD02-08583  
Certified Mail Receipt #  
7004 0550 0000 7862 2154

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

3025 E. San Antonio Avenue

- c. Boarded up, fenced, or otherwise secured in any manner in if:
  - i. The building constitutes a danger to the public even though secured entry, or
  - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 3025 E. San Antonio Avenue has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The plumbing system is inadequate and does not meet minimum code requirements.
- g. The electrical system is inadequate and does not meet minimum code requirements.
- h. The HVAC system is inadequate and does not meet minimum code requirements.
- i. The structure is open and accessible to unauthorized entry.
- j. The premises are full of weeds, trash, and debris.
- k. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.

3025 E. San Antonio Avenue

- I. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:



Sebastian Campos  
Building Inspector

SC/rl

**SENDER: COMPLETE THIS SECTION**

☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  
☒ Print your name and address on the reverse so that we can return the card to you.  
☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: **SC**

**Fermin Sosa**  
**3025 E. San Antonio Ave.**  
**El Paso, Texas 79905**  
**Re: 3025 E. San Antonio Ave.**

**LA #3**

2. Article Number  
*(Transfer from service label)*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
**X** ☐ Agent  
☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

**7004 0550 0000 7862 2154**

Receipt 102595-02-M-1540

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only. No Insurance Coverage Provided)*  
For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	<b>OCT 01 2004</b>
Restricted Delivery Fee (Endorsement Required)	


**SC**

Postmark Here

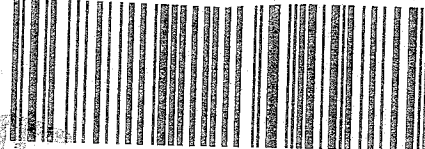
**Fermin Sosa**  
**3025 E. San Antonio Ave.**  
**El Paso, Texas 79905**  
**Re: 3025 E. San Antonio Ave.**

**7004 0550 0000 7862 2154**

PS Form 3800, June 2002 See Reverse for Instructions

 **The City of El Paso**  
**Two Civic Center Plaza**  
**El Paso, Texas 79901-1196**

**Building Permits and Inspections**  
**Code Enforcement**

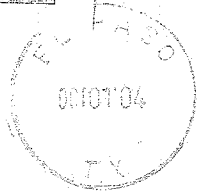


**7004 0550 0000 7862 2154**

**RETURN RECEIPT REQUESTED**

**Fermin Sosa**  
**3025 E. San Antonio Ave.**  
**El Paso, Texas 79905**

**OCT 05 2004**  
**CITY OF EL PASO**  
**BUILDING SERVICE**




**EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT**

**ENVIRONMENTAL HEALTH**

**MEMORANDUM**

**DATE:** October 12, 2004

**MEMO TO:** Tom Maguire, Housing Compliance Supervisor

**FROM:** Jorge Ramirez, Sr. Environmental Health Inspector 

**SUBJECT:** Condemnation Report

**RE:** 3025 San Antonio Ave. 79901

An inspection of the property was conducted on October 11, 2004, and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

**SECTION 9.04 - SOLID WASTE STORAGE AREA:**  
N/A

**SECTION 9.04.340 - ACCUMULATIONS:**  
Of garbage, tall vegetation, branches and broken glass were seen.

**SECTION 9.16 - NUISANCE:**  
Strong urine odors were detected in front of the structure.

**SECTION 9.16.010 - DESIGNATED:**  
N/A

**SECTION 9.28 - RAT CONTROL:**  
This structure is vacant and decaying. Evidence of mice droppings was seen. The structure is right next to other occupied homes. This situation needs immediate attention.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property located at 3025 E. San Antonio Avenue, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

\_\_\_\_\_  
Richarda Duffy Momsen

Executed this \_\_\_\_ day of \_\_\_\_\_, 2004 on behalf of  
the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

STATE OF TEXAS  
COUNTY OF EL PASO

Subscribed and sworn to before me, this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public



I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property located at 3025 E. San Antonio Avenue, was PUBLISHED in the official City newspaper on the \_\_\_\_day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Martina Pulido Sosa  
3025 E. San Antonio Ave.  
El Paso, Texas 79905

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Lorenzo and Amalia Vasquez  
4102 Pershing Dr.  
El Paso, Texas 79903

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Fermin Sosa  
5437 Fire Ridge Cir.  
El Paso, Texas 79932

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Frank J. Galvan, Jr.  
306 Caples Building  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Lorenzo Vasquez  
8526 Starling Dr.  
El Paso, Texas 79907

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Maria Sosa Villegas  
3025 E. San Antonio Ave.  
El Paso, Texas 79905

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (HAND-DELIVERED) to:

City of El Paso  
C/O City Clerk  
#2 Civic Center Plaza  
El Paso, TX 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe  
AKA Tigua Indian Community  
119 S. Old Pueblo Road  
El Paso, Texas 79907

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated December 28<sup>th</sup>, 2004 regarding the property at 3025 E. San Antonio Avenue, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

El Paso Central Appraisal District  
5801 Trowbridge Ave.  
El Paso, Texas 79925

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at 3025 E. San Antonio Avenue, El Paso, Texas.

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

## NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 1<sup>st</sup> day of February, 2005 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3025 E. San Antonio Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 13, Block B, Moeller's Addition to Garden Subdivision of East El Paso, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 14, Page 21, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Martina Pulido Sosa, 3025 E. San Antonio Avenue, El Paso, Texas 79905, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Adopted this 28<sup>th</sup> day of December, 2004.

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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Lisa A. Hayes  
Assistant City Attorney

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Tom Maguire  
Housing Compliance Supervisor



# UNSAFE STRUCTURES REPORT

## BUILDING PERMITS AND INSPECTIONS

**DATE OF EXAMINATION:** 12-1-04

**REP. DISTRICT:** 8

**ADDRESS:** 3025 E. San Antonio Avenue

**ZONED:** A-3

**LEGAL DESCRIPTION:** Lot 13, Block B, Moeller's Addition to Garden Subdivision of East El Paso, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 14, Page 21, Plat Records of El Paso County, Texas

**OWNER:** Martina Pulido Sosa

**ADDRESS:** 3025 E. San Antonio Avenue

**BUILDING USE:** Abandoned single family dwelling

**TYPE OF CONSTRUCTION:** V

**FOOTINGS:** Bad

**CONDITION:** Footings are cracked and deteriorated due to ground settlement.

**FOUNDATION WALL:** Foundation is made of native stone and reinforced.

**CONDITION:** Bad. Stone and concrete reinforcement has deteriorated, causing shifting on the building.

**FLOOR STRUCTURE:** Inside of house is made of wood slates and concrete slabs.

**CONDITION:** Bad concrete slabs.

**EXTERIOR WALLS:** Adobe and plaster.

**HEIGHT:** 8' to 10'

**THICKNESS:** 12" to 16"

**CONDITION:** Bad. Cracks on plaster.

**INTERIOR WALLS & CEILINGS:** Adobe and plaster.

**CONDITION:** Bad. Cracks on walls.

**ROOF STRUCTURE:** Wooden framing with rolled roof covering.

**CONDITION:** Bad. Water damage. Elements have caused cracks on roof leaks causing damage.

**DOORS, WINDOWS, ETC.:** Windows are constructed of wood.

**CONDITION:** Bad. Windows have deteriorated due to broken glass panes. Doors are split from routing weather conditions.

**MEANS OF EGRESS:** Does not meet code requirements.

**CONDITION:** Poor.

**PLUMBING:** Bad. A licensed plumber should be hired to replace system.

**ELECTRICAL:** Bad. A licensed electrician should be hired to determine actual condition.

**MECHANICAL:** Bad. A licensed mechanical contractor should be hired to determine actual condition.

**IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED:** None

**WARNING POSTED:** No

**BARRICADED:** No

**POLICE AID REQD.:** No

**REMARKS:** The structure should be demolished and the property cleaned of all weeds, trash and debris.

Sebastian Campos  
**Building Inspector**

